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REPORT TO THE HAMILTON-WENTWORTH REGIONAL SOCIAL SERVICES COMMITTEE

BY

COUNCILLOR BRIAN HINKLEY

ON HIS ATTENDANCE AT THE

ONE DAY SEMINAR

ON

GROUP HOMES

SPONSORED BY A.C.R.O.

(ASSOCIATION OF COUNTIES AND REGIONS OF ONTARIO)

HELD ON

APRIL 13TH, 1981

URBAN DOCUMENTATION CENTRE
RESEARCH UNIT FOR URBAN STUDIES
McMASTER UNIVERSITY
HAMILTON, ONTARIO

AT

THE CONSTELLATION HOTEL

TORONTO, ONTARIO

APRIL, 1981

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PREFACE

The purpose of the seminar on group homes was to bring together some of the key players involved in the question surrounding the whole area of allowing group homes to locate in residential areas of Ontario's municipalities. Most of Ontario's municipalities have very restrictive zoning by-laws and regulations which prohibit group homes from locating in residentially zoned areas. Some municipalities do not allow any group homes at all. Still others who claim they allow group homes in their municipality have passed by-laws and regulations so restrictive that their claims amount to nothing more than tokenism.

Some municipalities have passed by-laws which only permit certain types of group homes and discriminate against others. A few municipalities have permissive by-laws which allow group homes to locate in virtually all areas of their municipality. The City of Hamilton after more than three years of study in cooperation with the Planning Department, the Building Department, the City Solicitor, various citizens, the Social Planning and Research Council, the Regional Social Services Department, various agencies and service providers and the Provincial Secretariat for Social Development have passed By-law 6593; a By-law respecting Residential Care Facilities which shows substantial leadership in the area of permissive legislation.

KEYNOTE SPEAKER: The Honourable Margaret Birch

Provincial Secretary for Social Development

Mrs. Birch started her address by stating right at the outset that it is Provincial Government policy to strongly encourage the locating of group homes in residentially zoned areas of every municipality.

She said experience has proven that institutional care alone is not the total answer when responding to the needs and care of people.

She said the Province will not introduce legislation forcing municipalities to accept group homes, but will instead co-operate with municipalities and encourage their adoption of permissive by-laws. The concerns from some people that property values will suffer have not been proven. Municipalities who discriminate against certain types of group homes, ie. those that serve ex-offenders or juvenile delinquents are not accepting their full responsibility.

She went on to talk about the standards of operations and the need for any facility to be managed in such a way that the surrounding neighbourhood would be received with sensitivity.

NOTE: I was personally disappointed that Mrs. Birch did not allow ten or fifteen minutes for questions from the floor as it was stated she had to be off to another function. However, after her talk she did stay behind discuss matters with a few individuals for some twenty minutes. I was also disappointed in that no mention was made about funding problems of group homes.

PANEL

After a brief coffee break, the seminar was presented with a panel. The Chairman of the panel was Councillor Ron Book from the Regional Municipality of Niagara. The panel members consisted of Jill Hutcheon, Provincial Group Home Co-ordinator, Secretariat for Social Development; Mr. Bruce McLeod, Planning Co-ordinator, Ministry of Housing; Elspeth Hogg, Project Manager, Standards and Research, Children's Division, Ministry of Community and Social Services; and Colleen Parrish, Solicitor, Secretariat for Social Development.

Jill Hutcheon:

Ms. Hutcheon restated Provincial policy of de-institutionalization and the benefits and problems of such policy. She said the present situation is such that group homes are permitted in certain areas of some communities but for the most part are not permitted in all residential areas. This results in an over-abundance of homes in certain areas and none in other areas. The response to locating homes in residentially zoned areas has been to apply for the appropriate spot zoning changes. This has often been met with stiff public opposition and a very painful excercise for all concerned.

She again pointed out the Provincial policy of encouraging municipalities to pass permissive legislation.

Ms. Hutcheon then went on to outline specific types of group homes, the number across the province, the services they provide, their operations, the type of staff they employ and staff qualifications, how operators should respond to neighbourhood complaints and the Provincial contacts for various homes.

She said one badly operated group home can adversely affect public opinion against all group homes. She said there is an unjustified concern over permissive by-laws being passed creating a flood of group homes locating in a community. She said this is just not the case. Her remarks were concluded by saying that a great deal more "positive" education and public discussion must take place on community acceptance and the benefits to be obtained.

Bruce McLeod:

Mr. McLeod re-stated some of the points already made by previous speakers. He added that the acceptance of group homes should also be a stated policy in all official plans as well as in by-law form.

He said to prevent an undue concentration of group homes in any specific areas the use of distancing requirements is recommended. He also emphasized the importance of whatever form the By-law takes it should allow group homes in all residential zones.

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Elspeth Hogg:

Ms. Hogg stated that all group homes should be licensed. She said it is important that homes fit "into" the neighbourhood and not "intrude" or "stand out".

The rest of her talk was entirely devoted to homes for children controlled under the "Children's Services Residential Act".

She then went on to elaborate on the benefits of group homes for children, their supervision, the monitoring of homes and the method of investigating complaints.

Colleen Parrish:

Ms. Parrish confined her remarks to the legal procedures and obligations connected with zoning applications, licensing, Committee of Adjustment, health, building, fire, Ontario Municipal Board, etc.

She also spoke on a new piece of legislation which permits a municipality that has passed a by-law permitting group homes in their municipality to require the registration of the group home with the municipality.

After the panel members concluded their presentations, a very good question and answer period followed.

The session adjourned for lunch and returned at 1:30 p.m. to hear Mr. Jim Turner, Chairman of the Task Force on Zoning, Metropolitan Toronto Association for the Mentally Retarded. Mr. Turner said that this matter was a timely subject because of various pending O.M.B. hearings on group home zoning applications and By-laws.

He said that the present zoning regulations discriminate against people. He said it was okay to discriminate on land use but not against people. He said some people because of their problems, handicaps or disabilities are being treated as outcasts. He spoke about society's past behaviour towards the disadvantaged. He said we have perpetrated a crime against these individuals. Mr. Turner went on to say that society has changed and fortunately some attitudes have changed; but zoning laws have fallen behind and have been used to keep some group homes and certain people with problems out of communities rather than allow integration into the neighbourhoods.

He said spot rezoning is not fair to people. He said a By-law, supported by the Province with certain conditions is required. He is strongly in favour of a By-law with conditions.

Mr. Turner said "We don't discriminate against people because they are black." "We don't discriminate against people because of their religion." "We should not discriminate against people because of their emotional, physical or mental problems."

He concluded his remarks by saying "We only ask for that that is taken for granted by everyone else ... the right to reside in our own community and neighbourhood".

The next part of the seminar continued with another panel, this time chaired by Warden Jack Menard, County of Essex. The panel consisted of Alderman Rolf Hasenack, City of Ottawa; Mr. Gordon Lugsdin, Administrator, Social Planning Division, Regional Municipality of Niagara; and Reverend Reginald Rose, Township of Scugog, Regional Municipality of Durham.

Rolf Hasenack:

Alderman Hasenack talked about some of the historical events leading up to the City of Ottawa introducing their By-law. He talked about the trend of group homes locating in the older parts of the City, the attempts to rezone property, the neighbourhood battles and various O.M.B. hearings.

He then went on to mention the common types of neighbourhood complaints ie. parking, supervision and control, neighbourhood disruption, effect on property values, etc.

He then talked about the process used to develop the By-law. He said that we should keep in mind that the primary concern should be the residents of the group home and not the residents of the neighbourhood. He then went on to explain the details of the Ottawa By-law.

Gordon Lugsdin:

Mr. Lugsdin started his address by informing the seminar about the direction in which most of the municipalites in the Niagara Region are headed. He said most are regressing and instead of becoming more permissive towards group homes they are becoming more restrictive. However, some municipalities in Niagara are evaluating what is happening elsewhere in the Province.

He talked about the philosophy and obligation we all owe and have towards those with problems. He said that each municipality must accept this obligation and not shove it off to those other municipalities that display courage and compassion.

He concluded his remarks with a tongue-in-cheek statement that the Niagara Region is showing a new role in regressive style leadership on this issue.

Reverend Reginald Rose:

Rev. Rose said very little and it seemed as though he was almost embarrassed at being present at this seminar. I may be entirely unfair to Rev. Rose, but I got the impression he was apologizing for Durham Region. He said Durham has not progressed very quickly in allowing group homes into the area.

His tone was one of disappointment, but he wanted the seminar to know that the Durham Region was composed of caring people. He hoped that over time the present attitude would change.

A question period followed before the day's seminar was concluded.

SUMMARY

It would seem that only a few municipalities have shown leadership in this area by passing permissive By-laws allowing group homes to locate in all residentially zoned areas of their municipality. The most notable among these are Hamilton, Toronto and Ottawa. There are other municipalities that are coming forward but there are many more where no movement at all is taking place, or they have passed By-laws that feign permissiveness or they have passed By-laws that discriminate against certain people.

This is an issue that will continue to receive public attention as the Province proceeds to implement their policy of de-institutionalization and community integration. It can only be hoped that the issue is treated with fairness, compassion, and understanding for all concerned and that each municipality accepts their responsibility and builds upon a foundation of tolerance and goodwill among its citizens.

I would like to express my appreciation to the members of the Social Services Committee for recommending my attendance to the A.C.R.O. seminar on group homes. It was a learning experience.

Brian Hinkley

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